

These minutes were approved by the Board on 2.1.2021

MINUTES OF THE CONFERENCE CALL MEETING

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
November 2, 2020

1. ROLL CALL

The conference call meeting of the Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art was called to order by the Secretary, Pamela Rowland, at 10:31 a.m., at the Nebraska State Office Building, 301 Centennial Mall South, 5B, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) mailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby on 10.26.2020.

Members Present (11):

The following members answered roll call:

Bridget Anderson, Vice-Chair
Shannon Bingham, Member
Vicki Criswell, Chair
Jacqueline Hornig, Member
Melanie Judkins, Member
Ruth Lucas, Member
Marie Nordboe, Member
Becky Pettigrew, Member
Brandy Phillips, Member
Pamela Rowland, Secretary
Harold "Buddy" Sims, Member

Members Absent (0):

Others Present in Conference Room:

Kris Chiles, Program Manager, Licensure Unit
Natalee Hart, Assistant Attorney General

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Pettigrew moved, seconded by Rowland, to adopt the agenda. A voice vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

3. COVID-19: Executive Orders, Continuing Education, Re-Opens, and Press Releases

<https://dhhs.ne.gov/licensure/Pages/Cosmetology-and-Esthetics.aspx>

The following was discussed:

- Kearney is currently in the Red Zone for COVID
- Judkins – How will we know when and if there are changes, follow on Facebook, follow DHHS website, 90% of clients are appreciative of the extra sanitation being done
- Bingham – she knows of 2 cases in salons including hers
- Recommendation is to continue extra cleaning and if customer sees how clean the establishment is, this will make a difference
- Judkins – what is the protocol if there is a positive COVID exposure in a salon? All individuals need to be wearing masks at all times, CDC doesn't require isolation of salon but require cleaning and extra measures to clean surfaces from droplets
- Douglas County – if there is a COVID exposure to a staff member, if 1 person tests positive, the others in that salon that were within 6 feet of that staff member will need to get tested before going back to work, wait 4-5 days after exposure, it will be up to the employee and employer to decide the return to work date
- Criswell – Respiratory Therapist clients telling her to be prepared for another 18 months of COVID when we get the vaccination

4. UPDATES:

- a. Renewals:
- b. Regulations 44-46
- c. 2021 Legislation
 - Rowland met with Ebke (Platte Institute), Stevens (Governor's office) and Sen. Kolterman – Kolterman does not want to make any changes to the bill (LB 607) and it will be introduced in January
 - Asked if consider lower the hours
 - Connecticut new
 - 3 states increased hours
 - Questions relating to other professions
 - Ebke had no problems with the Body Art portion but had some questions about nail technology
 - Testing in English – remove – supported
 - Ebke considered a registry for nails, Kolterman and Stevens did not, question about inspections if on a registry and what would be the training requirements if on a registry, Ebke suggested anyone that was registered could watch a video as their training
 - Only 300 hours, 30+ states have more hours than 300
 - O'Toole asked if would be like Medicaid registry, testing and education but no discipline
 - Rowland and Sims voiced practical side of training, Ebke compared licensing profession to Boy Scouts, they asked her for an example of a profession on a registry, Ebke replied, interior designers
 - Asked those in the room if they had pedicures, Rowland brought up litigation and other injuries known that aren't reported, we haven't done a good job to keep public safe
 - Hornig – in some states, they are moving to notification to public whether licensed or not and that state provide public waiver form
 - No one opposed to move forward with current legislation that did not go through in 2020
- d. License Statistics
- e. Licensure Staffing Assignments
 - Follow-up: Email blast for new regulations, Hornig – exam scores,
 - Next agenda items: Elections and 2021 Meeting dates

11:00 a.m. Meyerson on call
11:18 a.m. Bingham exited the call

5. INVESTIGATIONAL & CONFIDENTIAL INFORMATION/REPORTS – CLOSED SESSION

MOTION: Pettigrew moved, seconded by Nordboe, to enter into closed session at 11:18 a.m. for the purpose of hearing discussions of an investigative/confidential nature and for the prevention of needless injury to the reputation of the individuals. Criswell repeated the motion and purpose. A roll call vote was taken. Voting aye: Anderson, Criswell, Judkins, Hornig, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (10). Voting nay: None (0). Absent: Bingham (1). Vacant positions (2). Motion carried.

11:23 a.m. Bingham returned to the call
11:26 a.m. Meyerson exited call
11:58 a.m. Break, Hart left room, O'toole on call

6. APPLICATION REVIEW, RECOMMENDATIONS AND REPORT OUT – OPEN SESSION

Verbal agreement from all board members to enter into open session at 12:23 p.m.
12:24 p.m. Harrison exited the call, Hart returned to the room

Perry, Aryan – Body Art – Initial -

MOTION: Judkins moved, seconded by Anderson, to recommend defer for additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Clark

MOTION: Anderson moved, seconded by Bingham, to recommend probation. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Potts, Alesia - Cosmetologist - Initial -

MOTION: Anderson moved, seconded by Nordboe, recommend 3 year probation, successfully pass the cosmetology jurisprudence examination within the first 90 days of issuance, abstain from controlled substances, random body fluid screens, follow the evaluation recommendations and any future recommendations, and all standard probationary terms and conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Jacobs, Haley - Cosmetologist - Initial -

MOTION: Anderson moved, seconded by Judkins, recommend to defer for additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Ochoa, Daniel – Body Art - Initial-

MOTION: Pettigrew moved, seconded by Judkins, recommend to defer for additional information. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

Beauty Secrets by Alicia - Body Art Facility – Initial -

MOTION: Anderson moved, seconded by Hornig, recommend to issue with no terms or conditions. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Lucas, Nordboe, Phillips, Rowland, Sims (9). Voting nay: Judkins, Pettigrew (2). Absent: None (0). Vacant positions (2). Motion carried.

Gregerson, Heather – Cosmetologist – Reinstate after discipline -

MOTION: Lucas moved, seconded by Anderson, recommend to reinstate license. A roll call vote was taken. Voting aye: Anderson, Bingham, Criswell, Hornig, Judkins, Lucas, Nordboe, Pettigrew, Phillips, Rowland, Sims (11). Voting nay: None (0). Absent: None (0). Vacant positions (2). Motion carried.

7. 10+ Year Service Award – Melanie Judkins (11.16.09-11.30.2020)

Judkins was honored for her 10+ years of service and her knowledge and experience will be missed. She was a great mentor to other members, in regards to educating them about body art practice.

8. ADJOURNMENT

Criswell announced the next meeting is scheduled on 12.7.20 as a conference call and declared the meeting adjourned at 12:40 p.m.

Submitted,

Pamela Rowland, Secretary

Board of Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art

Summarized by:

Heidi Weiand, Health Licensing Coordinator, Licensure Unit